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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,245	06/05/2001	Ashvinkumar J. Sanghvi	MS1-701US	7289
22801	7590	01/25/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			PATEL, HARESH N	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,245

Applicant(s)

SANGHVI ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/4/04, 12/15/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-29 are presented for examination.

Response to Arguments

2. Applicant's arguments filed 5/17/2004 have been fully considered but they are not persuasive. Therefore, rejection of claims 1-29 is maintained.

Applicant argues, (1) "payload objects and event filters limitations of the claimed invention are similar to components and procedures of the provisional applications, hence the provisional priority date should be considered as the effective date of this application". The examiner disagrees in response to applicant's arguments. The provisional application is missing several claimed limitations as mentioned below in this office action. Applicant has not shown mapping of which part of the provisional application is teaching each of the missing claimed limitations. Therefore the rejection is maintained.

Applicant argues (2) "O'Brien et al., 6,470,384 (Hereinafter O'Brien) fails to disclose transforming the first event; and communicating the second event to a second event filter having an associated filter criteria, the second event filter being associated with an event consumer, wherein the event consumer performs an action if the second event satisfies the filter criteria associated with the second event filter". The examiner respectfully disagrees in response to applicant's arguments. O'Brien clearly discloses transforming the first event (e.g., col. 5, line 6 – col. 6, line 65, figures 5A, 5B, 8); and communicating the second event to a second event filter having an associated filter criteria (e.g., figure 6, col., 5, lines 36 – 59), the second event filter being associated with an event consumer (e.g., figure 6, col., 5, lines 36 – 59), wherein the event

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consumer performs an action if the second event satisfies the filter criteria associated with the second event filter (e.g., figure 6, col., 5, lines 36 – 59). Therefore the rejection is maintained as disclosed above. Also, page 23, line 22 – page 24, line 2, clearly states “Although the description above uses language that is specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not limited to the specific features or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the invention”. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, O’Brien meets the claimed limitations.

Applicant argues (3) “O’Brien fails to disclose transforming the first event into the second event comprises generating an event header and generating an event payload having a plurality of payload objects”. The examiner respectfully disagrees in response to applicant's arguments. O’Brien clearly discloses transforming the first event into the second event (e.g., col. 5, line 6 – col. 6, line 65, figures 5A, 5B, 8); comprises generating an event header (e.g., SNMP message generated, hence, inherent SNMP message header, col., 6, lines 45 – 65) and generating an event payload having a plurality of payload objects (e.g., col. 5, lines 35 – 60). Therefore the rejection is maintained as disclosed above. Also, page 23, line 22 – page 24, line 2, clearly states “Although the description above uses language that is specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not limited to the specific features or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the invention”. Since, applicant's claims contain

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broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, O'Brien meets the claimed limitations.

Applicant argues (4) "O'Brien fails to disclose "an event transformer to receive a first event and transform the first event into a second event". The examiner respectfully disagrees in response to applicant's arguments. O'Brien clearly discloses an event transformer to receive a first event and transform the first event into a second event (e.g., col. 5, line 6 – col. 6, line 65, col. 4, lines 23 – 36, col., 10, lines 2 – 15). Therefore the rejection is maintained as disclosed above. Also, page 23, line 22 – page 24, line 2, clearly states "Although the description above uses language that is specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not limited to the specific features or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the invention". Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, O'Brien meets the claimed limitations.

Applicant argues (5) "O'Brien fails to disclose "transforming the first event into a second event having a second data format, wherein the second data format includes an event header and an event payload". The examiner respectfully disagrees in response to applicant's arguments. O'Brien clearly discloses transforming the first event into the second event having a second data format (e.g., col. 5, line 6 – col. 6, line 65, col. 4, lines 23 – 36, col., 10, lines 2 - 15), wherein the second data format includes an event header (e.g., SNMP message generated, hence, inherent SNMP message header, col., 6, lines 45 – 65) and an event payload (e.g., col. 5, lines 35 – 60). Therefore the rejection is maintained as disclosed above. Also, page 23, line 22 – page 24, line

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2, clearly states “Although the description above uses language that is specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not limited to the specific features or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the invention”. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, O'Brien meets the claimed limitations.

Applicant argues (6) “Wold, 5,724,589 (Hereinafter Wold) fails to disclose “transforming the first event into a second event having a second format”. The examiner respectfully disagrees in response to applicant's arguments. Wold clearly discloses transforming the first event into a second event having a second format (e.g., figures 5, 8, 9, col. 9, line 36). Therefore the rejection is maintained as disclosed above. Also, page 23, line 22 – page 24, line 2, clearly states “Although the description above uses language that is specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not limited to the specific features or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the invention”. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, Wold meets the claimed limitations.

Applicant argues (7) “Wold, 5,724,589 (Hereinafter Wold) fails to disclose “wherein transforming the first event into a second event comprises generating an event header and generating an event payload having a plurality of payload objects”. The examiner respectfully disagrees in response to applicant's arguments. Wold clearly discloses wherein transforming the first event into a second event comprises generating an event header (e.g.,

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figures 5, 8, 9, col., 15, line 21 – col., 16, line 34) and generating an event payload having a plurality of payload objects (e.g., figures 5, 8, 9, col., 15, line 21 – col., 16, line 34). Therefore the rejection is maintained as disclosed above. Also, page 23, line 22 – page 24, line 2, clearly states “Although the description above uses language that is specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not limited to the specific features or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the invention”. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, Wold meets the claimed limitations.

Priority

3. Claims 1-29 do not benefit the provisional priority date as the effective filing date, because the provisional application does not contain all the limitations of the claimed invention, including the description of payload objects and use of event filters. For example, the provisional application does not contain limitations, “the first event filter having an associated filter criteria”, “applying the filter criteria associated with the first event filter to the first event”, “the second event filter being associated with an event consumer”, “the event consumer performs an action if the second event satisfies the filter criteria associated with the second event filter event”, “the second event includes a payload including a plurality of payload objects”, “the second event filter has no knowledge of the first event”, “generating an event header having a plurality of parameters, wherein the plurality of parameters are arranged in a standard data format”, “generating an event payload having a plurality of payload objects, wherein the plurality of

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payload objects identify at least one action to perform in response to the event”, “the event transformer operates independently of the event filters and independently of the event consumer”, “event payload having a plurality of payload objects, and wherein the plurality of payload objects identify at least one action to perform in response to the event”, “the second data format includes an event header having a plurality of parameters and an event payload having a plurality of payload objects”.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Newly presented claims 28, 29, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Hinson et al. 6,748,455 (Hereinafter Hinson1).

6. As per claims 28 and 29, Hinson1 teaches a method comprising:

receiving a first event at a first event filter having an associated filter criteria (e.g., figure 34, col., 11, line 40 – col., 12, line 19);

applying the filter criteria associated with the first event filter to the first event (e.g., figure 34, col., 14, lines 34 - 50),

if the first event satisfies the filter criteria associated with the first event filter (e.g., figure 36, col., 15, lines 40 - 64); then transforming the first event into a second event and communicating the second event to a second event filter having an associated filter criteria (e.g., figure 36, col., 16, lines 36 - 54), the second event filter being associated with an event consumer (e.g., figures 5, 8, 14, col., 18, lines 36 - 64); wherein the event consumer performs an action if the second event satisfies the filter criteria associated with the second event filter (e.g., figure 16, col., 21, lines 9 - 24)

wherein the filter criteria associated with the first event filter and the second filter includes an event type (e.g., figure 22, col., 18, lines 2 - 28).

7. Newly presented claims 28, 29, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Hinson et al. 6,829,770 (Hereinafter Hinson2).

8. As per claims 28 and 29, Hinson2 teaches a method comprising:

receiving a first event at a first event filter having an associated filter criteria (e.g., figure 34, col., 11, line 40 – col., 12, line 19);

applying the filter criteria associated with the first event filter to the first event (e.g., figure 34, col., 14, lines 34 - 50),

if the first event satisfies the filter criteria associated with the first event filter (e.g., figure 36, col., 15, lines 40 - 64); then transforming the first event into a second event and communicating the second event to a second event filter having an associated filter criteria (e.g., figure 36, col., 16, lines 36 - 54), the second event filter being associated with an event consumer (e.g., figures 5, 8, 14, col., 18, lines 36 - 64); wherein the event consumer performs an action if

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the second event satisfies the filter criteria associated with the second event filter (e.g., figure 16, col., 21, lines 9 - 24)

wherein the filter criteria associated with the first event filter and the second filter includes an event type (e.g., figure 22, col., 18, lines 2 - 28).

9. Newly presented claims 28, 29, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Jakobson et al. 6,766,368 (Hereinafter Jakobson).

10. As per claims 28 and 29, Jakobson teaches a method comprising:

receiving a first event at a first event filter having an associated filter criteria (e.g., figure 5, col., 5, lines 5 - 35);

applying the filter criteria associated with the first event filter to the first event (e.g., figures 5 and 6, col., 5, lines 13 - 50),

if the first event satisfies the filter criteria associated with the first event filter (e.g., figures 5 and 7, col., 6, lines 4 - 20); then transforming the first event into a second event and communicating the second event to a second event filter having an associated filter criteria (e.g., figures 5 and 8, col., 9, lines 36 - 61), the second event filter being associated with an event consumer (e.g., figures 5, 8, col., 10, lines 13 - 39); wherein the event consumer performs an action if the second event satisfies the filter criteria associated with the second event filter (e.g., figures 5 and 6, col., 11, line 51 - col., 12, line35)

wherein the filter criteria associated with the first event filter and the second filter includes an event type (e.g., figures 5 and 6, col., 11, line 51 - col., 12, line35).

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11. Non-amended claims 1-27, are rejected under 35 U.S.C. 102(e) as being anticipated by O'Brien et al. 6,470,384 (Hereinafter O'Brien), as per paper number 2, dated 11/20/2003.

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Non-amended claims 1, 10, 11, 15, 16 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Wold et. al. 5,724,589 (Hereinafter Wold), as per paper number 2, dated 11/20/2003.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

January 21, 2005


JOHN FOLLANSBEE
PATENT EXAMINER
EBC CENTER 2100